

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

JERMAIN D. LEWIS

PLAINTIFF

v.

Civil No.4:17-cv-04053

SHERIFF BOBBY WALRAVEN,
Little River County, Arkansas; JOHN
DOE DEPUTIES 1 and 2; DEPUTY
TIMOTHY GARNER; and
LITTLE RIVER MEMORIAL HOSPITAL

DEFENDANTS

ORDER

Plaintiff Jermain D. Lewis proceeds in this matter *pro se* and *in forma pauperis* pursuant to 42 U.S.C. § 1983. Before the Court is Plaintiff's Motion to Compel. ECF No. 14. Defendants have filed Responses. (ECF Nos. 23, 24).¹

Plaintiff's Motion asks the Court to compel Defendant Walraven to produce "video footage" of the incident upon which Plaintiff's complaint is based. (ECF No. 23). Defendant Walraven represents that he has not provided any video of the incident because there is "no video and/or photographs concerning his allegation of slipping and falling in the shower during his incarceration in the Little River Detention Center". (ECF No. 23). A party cannot be compelled to produce what does not exist.

Accordingly, Plaintiff's Motion to Compel (ECF No. 22) is **DENIED**.

IT IS SO ORDERED this 29th day of November 2017.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE

¹ Defendant Little River Memorial Hospital filed a Response (ECF No. 24) correctly noting that Plaintiff's Motion to Compel did not ask the Court to order any discovery from them.